Investigative Narrative

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City of Los Angeles
On Duty Hit Shooting, Suspect Deceased
08-13-04 (Friday) 2156 Hours
File # 004-13762-2199-013

On Friday, August 13, 2004, Sergeant John Harris, Sergeant Rick Smith and Lieutenant Bennett Seno of Internal Affairs Bureau responded to the City of Los Angeles after being notified that on-duty Deputy Sheriffs from Century Sheriff Station were involved in a shooting.

Synopsis:

It was sometime around 10:00 p.m. that Deputy Geisbauer and Deputy MacDonald were en route to meet Deputies Ahmad and Guillen, who were working Unit #217-E PM's, to have a cup of coffee together. They were en route to Slauson Avenue and Holmes Avenue. While en route they heard gunshots, the gunshots came from north of Slauson Avenue.

Deputies Geisbauer and MacDonald, as well as Deputies Ahmad and Guillen, began checking the area for the source of the gunshots. During the search for the source of gunfire, the two units separated.

Deputies Ahmad and Guillen radioed Deputies Geisbauer and MacDonald to come to their location to back them up while they were checking a suspicious person. Prior to their being called by Deputies Ahmad and Guillen, Deputies Geisbauer and MacDonald had seen an LAPD unit checking the same area for the source of the gunshots. While Deputies Geisbauer and MacDonald were with Deputies Ahmad and Guillen, they heard additional gunshots.

Deputy Geisbauer said his initial thought was that the LAPD unit they saw earlier may be involved in a gunfight. Deputies Geisbauer and MacDonald began searching the area once again to try and locate the source of the gunshots and to check on the LAPD unit they saw earlier. In their search, they found the LAPD unit they had earlier seen. The LAPD unit was not involved in a gunfight but told them they had also heard the gunshots. The LAPD officers advised them they had informed other LAPD units on the radio that they heard the gunshots.

Deputy Geisbauer said that he and Deputy MacDonald continued searching the area for the source of the gunshots. They were westbound on 48th Place, west of Long Beach Avenue, when they passed a vehicle that was going east on 48th Place.

As the vehicle passed them, they noticed that the registration was expired on the vehicle. They turned around to get behind the vehicle so they could conduct a Department of Motor Vehicles (DMV) check and effect a traffic stop.

The driver of the vehicle without current registration turned north on Long Beach Avenue from 47th Place and began accelerating. The driver of the vehicle without current registration turned rapidly east on 47th Street and began accelerating. He lost control of the vehicle and swerved to the north. The driver of that vehicle then slowed the vehicle dramatically and began traveling southeast on 47th Street. The driver opened the driver's side door of the vehicle and stepped out while the vehicle was in motion. The vehicle struck a tree. Deputies Geisbauer and MacDonald were behind the driver of this vehicle when he stepped out. They exited their car. The driver of the vehicle was armed with a semiautomatic pistol and pointed it at the deputies. Deputies Geisbauer and MacDonald fired, striking the suspect.

Deputies summoned paramedics and an ambulance for the suspect, (later identified as Gerardo Macias) who expired at the scene.

On December 16, 2004, The Justice System Integrity Division of the Los Angeles County District Attorney's Office completed its review of the August 13, 2004, fatal shooting of Gerardo Macias by Deputies Geisbauer and MacDonald and concluded that the deputies acted in self defense.

Factual Analysis:

Description of Location:

The location [redacted] East 47th Street, Los Angeles, 90058) is located in an industrial/residential neighborhood. East 47th Street is an east/west traversing roadway with residences on the south side of the street and a commercial property on the north side. 47th Street was approximately (39) feet wide with curb parking and a pedestrian sidewalk on each side of the street. Investigators noted that the south side pedestrian sidewalk and curb were separated by a grass and dirt parkway which traversed the length of the street.

The location was bordered on the east by Staunton Avenue which was a north/south traversing roadway with commercial buildings on each side. The location was bordered on the west by Long Beach Avenue. Long Beach Avenue was a north/south traversing roadway. One lane was designated for northbound traffic and one lane was designated for southbound traffic. The two lanes were separated by north/south traversing railroad tracks for Southern Pacific Railroad and the Metroline Blue Line Rail System. The location was bordered on the south by East 48th Place which was an east/west traversing industrial roadway. The location was bordered on the north by Vernon Avenue which was an east/west traversing major commercial roadway. Major roadways in the area that bordered the location were Alameda Street to the east, Slauson Avenue to the south, and Compton Avenue to the west.

There was an illuminated overhead street lamp located on the southeast corner of East 47th Street and Long Beach Avenue. There was an illuminated overhead street lamp located on the northeast corner of East 47th Street and Long Beach Avenue.

Both of the street lamps illuminated the intersection of East 47th Street and Long Beach Avenue. The location was situated on the south side of the 1700 block of East 47th Street. East 47th Street between Long Beach Avenue and Staunton Avenue was approximately (270) feet long. There was a single commercial business with the numerical designation of "1741" on the north side of East 47th Street. 1741 East 47th Street was doing business as "Alameda Swap Meet." The business covered the entire length of the block from Long Beach Avenue to Staunton Avenue. There were two additional overhead street lamps located on the north side of East 47th Street in the area of the location. One was approximately (91) feet east of the east curb line of Long Beach Avenue and the other one was located approximately (257) feet east of the east curb line of Long Beach Avenue. Both street lamps were functioning and illuminated East 47th Street in the area of the location.

Crime Scene Overview:
Investigators conducted a preliminary examination of the crime scene, which was on 47th Street between Long Beach Avenue and Staunton Avenue. Investigators saw a black and white Sheriff's patrol vehicle bearing California exempt license 026008, rooftop number 798, stopped in the south portion of the roadway in front of [redacted] East 47th Street, which was approximately 130 feet east of Long Beach Avenue. The patrol vehicle was approximately 10 feet north of the south curb line of East 47th Street and facing in a southeast diagonal direction.

Investigators saw that both the driver side front door and the passenger side front door were fully open and the vehicle was empty of occupants. Beneath the driver's side of the black and white patrol vehicle behind the front-left tire was one expended cartridge case.

Stopped approximately 4 to 6 feet in front of the patrol vehicle was a dark blue, two-door, Ford Bronco bearing California license [redacted]. The Bronco the Bronco was also facing in a southeast diagonal direction. The Bronco was partially blocking the east portion of the driveway on the east side of [redacted] East 47th Street.

The front right side of the bumper of the Bronco was resting against the palm tree which was on the east side of the previously mentioned driveway. The front right wheel of the Bronco was on the curb. The engine, headlights, and taillights were on and the driver's door was fully open with the window up. The front passenger seat back was forward against the dashboard and the passenger side window was partially down. Investigators saw what appeared to be a pool of fluid beneath the front end of the Bronco and fluid appeared to be leaking from the engine area. The gear selector of the Bronco appeared to be in the neutral position and keys were in the ignition.

Investigators saw the suspect laying on the east/west traversing pedestrian sidewalk in front of the residence at [redacted] East 47th Street. The suspect was laying on his back, with his face pointing upward to the sky. There was a semiautomatic handgun laying on the sidewalk approximately (4) feet and (8) inches southeast of the suspect's left hand. The barrel of this handgun was pointing to the south and the bottom of the grip was pointing to the northeast.

At 0535 hours, Los Angeles County Coroner's Investigator Fleak arrived to conduct a death investigation. After examining the suspect's body, Investigator Fleak pointed out and Investigators observed two apparent gun shot wounds.

One wound was located on the right side of the suspect's lower back area, and the other wound was located on the left side of the suspect's back near his side. For additional information regarding Coroner Investigator Fleak's observations and actions, refer to her report which is included in the Homicide Bureau investigation.

Involved Personnel:

MacDonald, John **Deputy #**[redacted]
02-00 to Present Century Station, Field Operations Region II
[redacted]
Prior Shooting Incidents: 09-01-02
Prior Founded Force Incidents: [redacted]
Date Employee Last Qualified: [redacted]
Date Last Trained with Weapon: [redacted]

(Fired 16 rounds of Department issued 9mm ammunition from a Department issued Beretta, Model 92F, 9mm, serial number BE[redacted]Z, semiautomatic pistol)

Geisbauer, Anthony **Deputy #**[redacted]
08-98 to Present Century Station, Field Operations Region II
[redacted]
Prior Shooting Incidents: [redacted]
Prior Founded Force Incidents: [redacted]
Date Employee Last Qualified: [redacted]
Date Last Trained with Weapon: [redacted]

(Fired 11 rounds of Department issued 9mm ammunition from a Department issued Beretta, Model 92F, 9mm, serial number BE[redacted]Z, semiautomatic pistol)

Suspect # 1of 1 Macias, Gerardo, (Deceased)
Physical Description: MH/ DOB 09-11-1979, 5' 09" 170, green eyes, black hair
A.k.a."Arnold Macias," "Evil," ""Little Diablo" CII# [redacted]

Suspect Macias' Criminal History:
Suspect Macias was a member of the 38th Street gang, [redacted]

IAB Note: The toxicology report prepared by the Coroner's Department revealed that at the time of his death, Suspect Macias had alcohol (0.04g%), Cocaine and Methamphetamine in his system. Refer to **Page # 90** of the Homicide Bureau investigation for additional information.

Weapon Used by the Suspect:

Suspect Macias was in possession of a semiautomatic handgun "AMT" .45 caliber ACP "Backup Irwindale," silver in color with black grips. The handgun was loaded with one live "Western 45 Auto" cartridge in the chamber and four live "Western 45 Auto" cartridges in the magazine. A search of the Automated Firearm System revealed no history for the weapon.

Gunshot Residue Test, GSR B8183: SEM/EDS analysis one highly specific and several consistent particles of a gunshot residue on the left-hand adhesive lift sample and no particles of a gunshot residue on the right-hand adhesive loft sample. Therefore, the decedent may have discharged a firearm or had his hands otherwise in an environment of a gunshot residue.

Interviews:

The following is a summation of the interviews that were conducted by investigators from the Sheriff's Department Homicide Bureau. All interviews were recorded with copies of the original stored at the Internal Affairs Bureau for safekeeping.

Deputy Anthony Geisbauer, #[redacted]

On 08-14-2004 at 0212 hours, Investigators interviewed Deputy Geisbauer. On 08-13-2004, Deputy Geisbauer was working Unit#216-E, the PM shift. The PM shift hours are from [redacted]. That unit was responsible for the Firestone District area. His partner on that night was Deputy John MacDonald. Deputy Geisbauer and Deputy MacDonald have worked as partners for about one year.

Deputy Geisbauer said that nothing unusual occurred during his shift prior to the shooting incident. Earlier in the shift, [redacted] It was sometime around 10:00 p.m. that he and Deputy MacDonald were en route to meet Deputies Ahmad and Guillen, who were working Unit #217-E PM's, to have a cup of coffee together. They were en route to Slauson Avenue and Holmes Avenue. They did not make it to that location because while en route they heard gunshots. The gunshots came from north of Slauson Avenue.

Deputies Geisbauer and MacDonald, as well as Deputies Ahmad and Guillen, were checking the area for the source of the gunshots. During the search for the source of gunfire, the two units separated. Deputies Ahmad and Guillen found a suspicious person while they were searching the area. The deputies were in the area of the housing projects called "The Pueblos."

Deputies Ahmad and Guillen radioed Deputies Geisbauer and MacDonald to come to their location to back them up while they were checking the suspicious person.

Prior to their being called by Deputies Ahmad and Guillen, Deputies Geisbauer and MacDonald saw an LAPD unit in the area, looking for the source of the gunshots. While Deputies Geisbauer and MacDonald were with Deputies Ahmad and Guillen, they heard additional gunshots. Deputy Geisbauer said his initial thought was that the LAPD unit they saw earlier may be involved in a gunfight.

Deputies Geisbauer and MacDonald began searching the area once again to try and locate the source of the gunshots and to check on the welfare of the LAPD unit they saw earlier. In their search, they found the LAPD unit they had earlier seen. The LAPD unit was not involved in a gunfight but told them they had also heard the gunshots. The LAPD officers advised them they had informed other LAPD units on the radio that they heard the gunshots. The LAPD Officers told them that they believed the gunshots were coming from the area, west of them, near the railroad tracks.

> ***IAB Note:*** The railroad right-away is patrolled by the Sheriff's Department Transit Services Bureau, which has responsibility for the "MTA Light Rail" contract.

Deputy Geisbauer said that he and Deputy MacDonald continued searching the area for the source of the gunshots. They were westbound on 48th Place, west of Long Beach Avenue, when they passed a vehicle that was going east on 48th Place. As the vehicle passed them, they noticed that the registration was expired on the vehicle. They turned around to get behind the vehicle so they could conduct a Department of Motor Vehicles (DMV) check and effect a traffic stop.

Prior to their effecting the traffic stop, the vehicle made an erratic left turn onto Long Beach Avenue. Deputy Geisbauer thought the vehicle was either a Bronco or a Blazer. They were in the process of doing a DMV check on the license plate of the vehicle when the vehicle made a rapid, wide right turn onto 47th Street. Deputy Geisbauer initially thought that the vehicle may be stolen. The right turn the vehicle made onto 47th Street was wide, erratic and at a high rate of speed. The vehicle's tires broke traction from this erratic turn.

Deputy Geisbauer said after the erratic turn, the car headed in a southeast direction on 47th Street. The car slowed down to maybe 5 miles per hour. As it did, the driver got out of the car with a chrome gun in his hand. The gun was in his right hand. As the male got out of the car, it looked like he was trying to get the gun in "a ready position" or trying to get the safety off the gun. Deputy Geisbauer said their radio car was very close behind this vehicle at the time. He estimates he and his partner were within 10 feet. When this male got out of the car, he faced them with about a 3/4 view of his front. He had the weapon in his right hand at about waist level. He then started running in an easterly direction. The vehicle he had come from was still moving with no one in it.

Deputy Geisbauer stated his partner, Deputy MacDonald, who was the driver of their vehicle, ran to the east after the male. Deputy Geisbauer then heard gunshots. He saw the male in the south sidewalk area of 47th Street. This male was in front (east) of Deputy Geisbauer. Deputy Geisbauer estimated he was 20 to 25 feet away from this male. At that time he did not know if this male had shot Deputy MacDonald or if Deputy MacDonald had shot this male. The male looked at Deputy Geisbauer and bladed his body, pointing the gun at Deputy Geisbauer.

The male raised his right hand with a chrome gun and pointed it at Deputy Geisbauer. Deputy Geisbauer was in fear for his life and fired his weapon at the male. The male fell to the ground. Deputy Geisbauer believed he fired 11 rounds, and then did a tactical reload. He also took cover behind a large palm tree. It was after taking cover behind the palm tree that he did the tactical reload.

Deputy Geisbauer said he next heard Deputy MacDonald asking him if he was okay. He and Deputy MacDonald both confirmed that each of them were all right. Deputy Geisbauer next broadcast the shooting incident over the radio. He requested units to assist and also for paramedics.

Deputy Geisbauer said paramedics could not approach the male who was lying on the sidewalk because the male was still moving and was still a threat. Deputy Geisbauer said that he was giving commands to the suspect, to show them his hands and the suspect was not complying. Arriving deputies formed an arrest team with shields to approach the male. Deputy Geisbauer believed that the suspect was armed and still posed a significant threat against deputies and/or fire personnel.

> ***IAB Note:*** The suspect's weapon, a semiautomatic, .45 caliber handgun, was recovered laying on the sidewalk approximately (4) feet and (8) inches southeast of the suspect's left hand. The barrel of this handgun was pointing to the south and the bottom of the grip was pointing to the northeast. Deputies Geisbauer and MacDonald were unable to see the weapon from their position.

Deputy Geisbauer estimated that the entire incident, from the time the suspect got out of his vehicle until the shooting concluded, lasted less than one minute.

Deputy John MacDonald #[redacted]

On 08-14-2004 at 0242 hours, Investigators interviewed Deputy John MacDonald. Deputy MacDonald stated he and his partner, Deputy Geisbauer, had been assigned to Century Sheriffs Station Patrol Unit #216E on Friday, 08-13-2004. Their hours of work were from [redacted] hours on Saturday, 08-14-2004. He and Deputy Geisbauer have been regular partners since September of 2003. Deputy MacDonald said that on the night of the shooting, Deputy Geisbauer performed as the book deputy and he was the driver of the radio car.

Deputy MacDonald told Investigators there had been no unusual occurrences briefed to him and his partner prior to them starting their shift. Nothing unusual had occurred during their shift until the shooting.

Deputy MacDonald said he and Deputy Geisbauer [redacted] Deputies Ahmad and Guillen were working Unit #217E on Friday, 08-13-2004. After eating, he and Deputy Geisbauer planned on having a cup of coffee with Deputies Ahmad and Guillen. They were going to meet for the coffee at an AM/PM mini market at the corner of Slauson Avenue and Holmes Avenue.

Deputy MacDonald stated substantially the same as Deputy Geisbauer, and explained that when he and Deputy Geisbauer were out of their radio car assisting Deputies Ahmad and Guillen, they heard additional gunfire. His first thought was that the LAPD officers he saw in the area before, had taken gunfire from a suspect. The LAPD officers they saw before assisting the other deputies were northwest of the location where he and Deputy Geisbauer were helping the other deputies. The gunshots they overheard were also coming from the northwest. Deputy MacDonald said that they back to the location and checked on the welfare of the LAPD officers.

Deputy MacDonald stated he and Deputy Geisbauer left the LAPD unit and began checking the area for the source of the gunfire. They were not with fellow Deputies Ahmad and Guillen while checking the vicinity. They were traveling on either 53rd or 54th Street through the area. The streets all look very similar and he was not positive what street they were on, as they were traveling west. Eventually, they ended up on Long Beach Avenue, a north/south street adjacent to the Blue Line.

Deputy MacDonald told Investigators he and Deputy Geisbauer came across an east/west street that crossed the Blue Line tracks. He was not sure but thought this street was either 48th Place or 48th Street. They drove westbound over the tracks on that street. While doing so, they saw the Suspect's vehicle traveling eastbound on the same street. The deputies were able to examine the license plate of the vehicle. They saw that it did not have current registration tags. The deputies requested a DMV check on the license plate. The DMV return was slow on the computer in their radio car. Deputy MacDonald performed a three-point turn so he could follow the vehicle with the expired registration. At that time, the traffic signal light had turned green and the Suspect turned left (north) on Long Beach Avenue on the east side of the Blue Line tracks. MacDonald said the suspect took off, not as though he were going to flee, but as if "he's definitely not hanging around."

Deputy MacDonald stated he accelerated, trying to close the distance between his vehicle and the suspect's vehicle. When he confirmed the plate with Deputy Geisbauer, Deputy MacDonald attempted to stop the suspect's vehicle. He activated his forward-facing red lights, spotlights, and at one point even activated the siren of his Sheriffs' vehicle. The suspect immediately turned right (east) on 47th Street.

Deputy MacDonald explained that the suspect started turning east on 47th Street just as Deputy MacDonald was activating his emergency lights. The suspect accelerated fast while turning to the east and lost control of the vehicle. The vehicle fish tailed and ended up on the north side of the street. It would have been in the lane for oncoming traffic if there had been any westbound traffic on 47th Street.

Deputy MacDonald stated the suspect regained control of the vehicle and slowed the vehicle, still traveling east. The suspect got out of his vehicle while it was still rolling. Deputy MacDonald saw the driver (suspect) of the vehicle had a gun.

Deputy MacDonald stated the driver of the vehicle had a handgun when he stepped out of the automobile. Deputy MacDonald had his radio car positioned the way he would normally have it for a traffic stop. He was offset and to the driver's side of the vehicle he had been attempting to stop when the suspect stepped out with a handgun. Deputy MacDonald said he had a very clear view of the driver's side of the vehicle.

Deputy MacDonald told Investigators when the suspect first stepped out of the vehicle, he was holding the handgun, he had it in both hands above his waist, sort of mid chest level. The gun appeared to be a "gold or copper color." It did not appear to be blue or chrome The suspect was facing Deputy MacDonald when he stepped out of his vehicle. The suspect was facing in a northwest direction, "almost right on, but not perfect" toward Deputy MacDonald. Deputy MacDonald had a clear view of the front of the Suspect.

Deputy MacDonald said the suspect driver of the vehicle stepped out of his vehicle holding a gun in both hands. The driver appeared as though he were "trying to gain control of it." The driver of the vehicle was holding the gun "like a hot potato," and appeared to be "bobbling it."

Deputy MacDonald stated the suspect was finally able to gain control of the handgun and turned away from Deputy MacDonald for a second. The suspect then quickly turned back toward Deputy MacDonald, facing him with the handgun and took one or two steps.

The suspect gained control of the gun in a "second" and turned away from Deputy MacDonald to run east. The suspect then immediately turned back and faced Deputy MacDonald. Deputy MacDonald did not know if the suspect had taken any steps east before the suspect turned and faced Deputy MacDonald for a second time. The suspect may have taken one or two steps east.

Deputy MacDonald told investigators when the suspect turned to face him with the handgun, the suspect's body was in a north direction. The suspect's head and handgun were facing directly toward Deputy MacDonald. The suspect was almost sideways while looking at and pointing the gun toward Deputy MacDonald. The suspect was holding the handgun at chest level with his right hand. He was pointing it at Deputy MacDonald. Deputy MacDonald could not tell if the suspect had fired the gun at him.

Deputy MacDonald said the suspect had pointed the gun at him "not long at all," when he began shooting at the suspect. Deputy MacDonald said, "I thought I was going to die. I thought he was trying to kill me."

Deputy MacDonald stated he began running in a northeastern direction while the suspect ran east. He noticed he was in "almost no man's land." He saw he had "no cover" in the position where he was standing while facing the suspect who was armed with a handgun. Deputy MacDonald said, "It was just me and him." Deputy MacDonald was shooting with one hand while running to the other side of the street to get behind a white car. The white car was parked on the north side of the street. He ran to the white car for cover because he did not want to "get shot."

Deputy MacDonald said that he believed he fired 15 or 16 rounds as he was running and shooting. He lost his balance and fell while running to the white car. He fell hard on his hip, ripping his pants and cutting his hand.

Deputy MacDonald told investigators he remembered seeing the suspect run and believed the suspect was struck by gunfire, because the suspect fell. The suspect fell at the south sidewalk. Deputy MacDonald said the suspect fell to the sidewalk before he (MacDonald) had fallen in the street.

Deputy MacDonald stated that he did not fire his weapon after he had fallen to the street. He heard additional gunfire at that time. He did not know if the suspect was shooting at Deputy Geisbauer or if Deputy Geisbauer was shooting at the suspect. He was able to get behind the white car for cover, where he reloaded his pistol. He did not know how many rounds he had fired, but later he examined the magazine he dropped from his Beretta pistol and saw that it was empty.

Deputy MacDonald said that the suspect had fallen on the south sidewalk behind a white trailer that was parked there. He saw Deputy Geisbauer behind a large tree, west of the trailer along the south sidewalk, using his radio to advise of the shooting. He asked if Deputy Geisbauer was all right. Deputy Geisbauer answered that he was fine and questioned him (MacDonald) if he was okay. He told Deputy Geisbauer he was also fine.

Deputy MacDonald told investigators he remained at his position of cover, as did Deputy Geisbauer to wait for backup units. Deputy MacDonald stated he could not see the suspect from his position behind the white car. He overheard Deputy Geisbauer giving the suspect commands to "put your hands behind your back." Once the backup units arrived, they put together an arrest team to approach and handcuff the suspect. When the arrest team arrived, Deputy MacDonald moved to the south sidewalk. He could see the Suspect's hands were underneath his body. Deputy MacDonald did not know if the Suspect was dead or was just lying there waiting to "take one last shot."

Deputy MacDonald told investigators he did not participate in the arrest team's actions. He saw the arrest team handcuff the suspect.

Interview Summary of Deputies Kamal Ahmad and Antonia Guillen:

Deputies Ahmad and Guillen said that a short time before the shooting, they were planning to meet with Deputies Geisbauer and MacDonald at a local AM/PM mini market. They and Deputies Geisbauer and MacDonald had overheard gunshots before the meeting.
The gunshots sounded as though they came from an area north of the AM/PM mini market. Deputies Ahmad, Guillen, Geisbauer and MacDonald decided to check the area for the source of the gunfire.

Deputies Ahmad and Guillen explained to investigators that earlier in their shift there had been [redacted]

The deputies believed the gunshots they heard was another assault with a deadly weapon incident that had just occurred. The deputies drove north and saw Los Angeles Police Department (LAPD) officers detaining people near the area of 53rd Street and Holmes Avenue.

Deputies Ahmad and Guillen stated that while questioning some suspicious people with Deputies Geisbauer and MacDonald, they overheard two gunshots fired in rapid succession. Deputies Geisbauer and MacDonald left, telling them that they were going to return to the area where they had seen the LAPD officers.

Deputies Ahmad and Guillen said they had separated from Deputies Geisbauer and MacDonald as they searched for the source of the gunfire and not witness the events that led up to Suspect Macias being shot.

Deputies Ahmad and Guillen told Investigators they had overheard emergency radio traffic broadcast by Deputies Geisbauer and MacDonald at 2156 hours advising Century Sheriffs Station units they had been involved in a shooting. Deputies Ahmad and Guillen, along with additional Century Sheriffs Station deputies and LAPD officers, drove to 47th Street and Long Beach Avenue. They saw the driver of the vehicle, who was later identified as Suspect Gerardo Macias, on the south sidewalk in front of [redacted] East 47th Street.

Suspect Gerardo Macias was suffering from gunshot wounds and was not responding to deputies' commands. An arrest team was quickly formed and approached the suspect behind a ballistic shield. The suspect was handcuffed and paramedics from the Los Angeles City Fire Department were called to render first aid. Los Angeles City Fire Department Paramedic C. Gassier, #8428, under the command of Captain Pimentel, pronounced Suspect Macias dead at 2223 hours.

Deputies Ahmad and Guillen identified the deputies involved in the arrest team that had approached Suspect Macias as Sergeants Blackwell and Hiles and Deputies Ponsford, Felmer, Gonzalez, [redacted] and [redacted]. Deputy [redacted] had placed Suspect Macias in handcuffs.

Non Department Witnesses:

On 08-14-2004 at 0040 hours, Investigators spoke with Los Angeles Police Department Officers [redacted], and [redacted]. They were assigned to the Citywide Gang Task Force as part of the Community Safety Operations at Newton Division. They had been working LAPD Unit #25-G-34 on 08-13-2004. Officers [redacted] and [redacted] stated that they had been in the area before the deputies were involved in the shooting. They had overheard gunshots. They recalled seeing the deputy sheriffs in the area searching for the source of the gunfire.

They broadcasted to LAPD units on a working frequency, Channel 45, that there were gunshots being fired in the area. They initiated the broadcast as an officer safety warning.

Officers [redacted] and [redacted] told Investigators they had been checking a suspicious person when they had overheard gunshots. They prepared a field interview report of that suspicious person, Marcos Rivera, MH, DOB: 04-13-1984. Deputy sheriffs stopped near them while they were conducting the field interview report. They overheard gunshots at that time.

They recalled that Marcos Rivera asked them why they were not searching for the source of gunfire as they questioned him. Officers [redacted] and [redacted] prepared a statement of facts documenting their actions and observations, refer to **Exhibit B**.